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RHEBAAA/DEPT OF ENERGY WASHDC  
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ENERGY FOR CAROLYN GAY

E.O. 12958: DECL: 12/14/2017

TAGS: [PREL](#) [PBTS](#) [NI](#) [CM](#)

SUBJECT: NIGERIAN PRESIDENT SENDS GREENTREE AGREEMENT TO  
SENATE AMIDST ALLEGATIONS OF MISSING FUNDS

REF: ABUJA 2513

Classified By: Political Counselor Walter Pflaumer for reasons 1.4. (b  
& d).

[11](#). (C) SUMMARY: Nigerian President Yar'Adua has sent the Greentree Agreement to the Senate for ratification, while allegations have arisen that \$40 million allocated to resettle Bakassi residents has disappeared. Deputy Senate Leader Victor Ndoma-Egba, who represents Cross Rivers State (where Bakassi residents are located) is confident Greentree will be ratified, though he suggested an investigation may be forthcoming into the missing money. END SUMMARY.

[12](#). (U) Nigerian President Yar'Adua has sent the Greentree Agreement entered into by former President Obasanjo and Cameroonian President Paul Biya to the Senate for ratification. In a December 7 letter to the Senate, Yar'Adua wrote: "You may kindly note that, having subscribed to the jurisdiction of the International Court of Justice (ICJ), Nigeria became bound to respect its judgment of 10th October 2002, which confers the sovereignty of Cameroon over the Bakassi Peninsula. ... Similarly, recall that in furtherance of that, and as a responsible member of the comity of nations as directed by the International Law and procedure, Nigeria entered into the Greentree Agreement with Cameroon on the modalities of implementation of that judgment." Yar'Adua further noted that it was actually a resubmission, per the Nigerian Constitution, as the immediate past National Assembly had not managed to ratify it.

[13](#). (C) Deputy Senate Leader Victor Ndoma-Egba (PDP - Cross Rivers) assured PolOff in a December 14 meeting that he recognized Nigeria's responsibility to the international community in accepting and complying with the ICJ decision. Senator Ndoma-Egba stated that he was "fully confident" that the Greentree Agreement will be ratified by the Senate, but that nevertheless, they planned to hold public hearings on it to respect due process. He also suggested the Senate would investigate the alleged disappearance of \$40 million funds designated to resettle the people of Bakassi.

[14](#). (C) Separately, well-known political dissident Tony Nyiam alleged that \$40 million earmarked for the relocation of Bakassi residents had disappeared. He asked the Economic and Financial Crimes Commission (EFCC) to investigate.

15. (C) COMMENT: Notwithstanding the debate over whether Greentree is really a treaty or simply an executive agreement to comply with the ICJ ruling, Yar'Adua's sending it to the Senate for ratification reaffirms, to the public and the National Assembly, his respect for the rule of law. It is likely that assurances of ratification were given in advance so as to make sure the President will not be embarrassed by this move. Senator Ndoma-Egba's confidence in its passage is welcome news, though not completely surprising. Senate President David Mark owes his position to Obasanjo, and would be loathe to embarrass his primary political backer who signed Greentree. As for the missing \$40 million, it remains to be seen if GON will follow through on its anti-corruption promises and fully investigate the matter. END COMMENT.  
SANDERS